



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2006 REGULAR SESSION

HOUSE BILL NO. 28

AS ENACTED

FRIDAY, MARCH 17, 2006

RECEIVED AND FILED
DATE March 28, 2006
3:17 pm

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Aeller

AN ACT relating to electricians and electrical contractors.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS 227.450 TO 227.500 IS CREATED TO
READ AS FOLLOWS:

(1) Electrical inspectors shall have the authority to take immediate action to prevent further electrical work at any inspection site where, in the judgment of the electrical inspector, imminent danger to life or property exists. Actions the electrical inspector may take to address this danger are the following:

(a) Stop-work order regarding any electrical work at the inspection site; or

(b) Recommendations of fines or other penalties as described in Section 4 of this Act.

(2) The findings of the electrical inspector under subsection (1) of this section shall be presumed to be correct until the city, county, urban-county, charter county, or consolidated local government, the office, or the party affected by the findings demonstrates that it is more likely than not that the electrical inspector was incorrect in his or her findings.

(3) The actions of an electrical inspector under this section are subject to misconduct investigation by the executive director under KRS 227.492, and the inspector is subject to any appropriate criminal or civil penalty due to misconduct or violation of any provision of KRS 227.200 to 227.400 or 227.450 to 227.500.

Section 2. KRS 227.480 is amended to read as follows:

(1) A city, county, urban-county, charter county, or consolidated local government shall, according to the Uniform State Building Code as it pertains to the plan review and inspection responsibilities of local governments, require any person to obtain permits before commencing construction, alteration, or repairs of any electrical wiring. The city, county, urban-county, charter county, or consolidated local government shall~~[, and]~~ require all inspections that are deemed~~[such inspection as~~

1 it deems] necessary by the office for the safety of life and property. The office shall
 2 promulgate administrative regulations to describe the circumstances where
 3 inspections are required.

4 (2) A city, county, urban-county, charter county, or consolidated local government or
 5 the state shall not issue a permit unless the applicant submits proof of being
 6 licensed as an electrical contractor under KRS Chapter 227A[227A.010 to
 7 227A.140] or of acting on behalf of a licensed electrical contractor. However, the
 8 provisions of this subsection shall not apply to a homeowner or farmer who does
 9 construction, alteration, or repairs of any electrical wiring on his or her own
 10 premises or any other person exempt from licensing under KRS 227A.030. This
 11 subsection shall not apply to electrical work performed by the Commonwealth of
 12 Kentucky, a city, county, urban-county, charter county, or consolidated local
 13 government, or any subdivision thereof.

14 (3) A city, county, urban-county, charter county, or consolidated local government
 15 shall appoint and may fix the compensation of city, county, urban-county, charter
 16 county, or consolidated local government electrical inspectors, and may by
 17 ordinance fix reasonable fees and establish other requirements for the conduct of
 18 electrical inspections within its boundaries. All electrical inspectors must be
 19 certified under KRS 227.489.

20 (4) Reasonable standards for the construction, alteration, and repair of any electrical
 21 wiring shall be those adopted in the Uniform State Building Code, as promulgated
 22 by the Board of Housing, Buildings and Construction, and shall have as a minimum
 23 standard the requirements of the National Electric Code. These standards shall be
 24 used by the electrical inspector in making his inspections.

25 Section 3. KRS 227.491 is amended to read as follows:

26 (1) An electrical inspector who certifies an electrical installation shall furnish and
 27 attach an approval sticker, bearing his or her signature and certification number in a

1 conspicuous place on the main service entrance equipment. He or she shall also
 2 provide the owner of the electrical installation or his or her authorized agent with a
 3 certificate of approval if the same is requested. A complete record of each
 4 inspection shall be kept by the inspector and these records shall be made available
 5 to the Office of Housing, Buildings and Construction upon its request.

6 (2) No electrical inspector shall:

7 (a) Attempt to supplant, overrule or otherwise invalidate the judgment of another
 8 electrical inspector whose services for a particular building, structure or other
 9 project have been solicited by an owner, contractor, municipality or other
 10 person without first obtaining express written consent from the designated
 11 inspector's office supervising the original inspector; or

12 (b) Certify an unlicensed or unlawful electrical installation.

13 (3) Failure of an electrical inspector to observe subsection (2) of this section~~[this~~
 14 ~~provision]~~ shall subject that~~[said]~~ inspector to review by the executive director of
 15 housing, buildings and construction with possible suspension of certification for a
 16 period not to exceed one (1) year from the date of the executive director's ruling.

17 Section 4. KRS 227.500 is amended to read as follows:

18 (1) A city,~~[or]~~ county, urban-county, charter county, or consolidated local
 19 government may fix as a penalty for the violation of any ordinance or resolution
 20 passed under the provisions of KRS 227.200 to 227.500, a fine of not less than
 21 twenty-five dollars (\$25) nor more than two hundred fifty dollars (\$250), or
 22 imprisonment for not more than ninety (90) days, or both.

23 (2) If properly recommended by an electrical inspector under Section 1 of this Act, a
 24 city, county, urban-county, charter county, or consolidated local government may
 25 fix as a penalty for the violation of any ordinance or resolution passed under the
 26 provisions of this chapter, the Uniform State Building Code, or the standards of
 27 safety of the Commonwealth of Kentucky, a fine of one thousand dollars (\$1,000)

1 for the first offense, and a fine of two thousand dollars (\$2,000) for each
 2 subsequent offense.

3 Section 5. KRS 227A.030 is amended to read as follows:

- 4 (1) The provisions of KRS 227A.010 to 227A.140 shall not apply to installations under
 5 the exclusive control of electric utilities for the purpose of communication,
 6 metering, or for the generation, control, transformation, transmission, and
 7 distribution of electric energy located in buildings used exclusively by utilities for
 8 those purposes or located outdoors on property owned or leased by the utility or on
 9 public highways, streets, or roads, or outdoors by established rights on private
 10 property.
- 11 (2) Nothing in KRS 227A.010 to 227A.140 shall require that a maintenance worker or
 12 maintenance engineer performing routine maintenance of electrical systems be
 13 licensed.
- 14 (3) Nothing in KRS 227A.010 to 227A.140 shall prohibit or interfere with the ability of
 15 a homeowner or farmer to install or repair electrical wiring on his or her real
 16 property.
- 17 (4) Nothing in KRS 227A.010 to 227A.140 shall require that a retailer or its agent
 18 engaged in making installations of an appliance purchased at a retail establishment
 19 be licensed.
- 20 (5) Nothing in KRS 227A.010 to 227A.140 shall be construed to require persons
 21 making installations exempt by KRS 227.460 to be licensed or to work for a
 22 licensed person.
- 23 (6) Nothing in KRS 227A.010 to 227A.140 shall preclude the use of unlicensed,
 24 nonresident electricians in temporary, emergency, or industrial shutdown situations.
 25 Those unlicensed, nonresident electricians shall apply for an electrician's license or
 26 a master electrician's license after they are employed and engaged in electrical work
 27 in the Commonwealth of Kentucky for a period of ten (10)~~thirty (30)~~ days. No

1 unlicensed, nonresident electrician shall be employed or engaged in electrical
 2 work in the Commonwealth of Kentucky for a total of more than thirty (30) days
 3 in any calendar year without applying for an electrician's license or a master
 4 electrician's license. The license shall be obtained by the temporary, unlicensed,
 5 nonresident electricians within sixty (60) days of securing employment.

6 (7) Nothing in KRS 227A.010 to 227A.140 shall apply to a person performing work at
 7 a surface or underground coal mine or at a coal preparation plant.

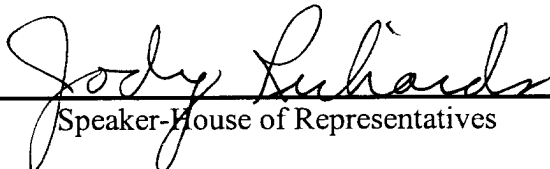
8 (8) Nothing in KRS 227A.010 to 227A.140 shall apply to a person performing work for
 9 a telecommunications company for which the voltage is fifty (50) volts or less.

10 (9) Nothing in KRS 227A.010 to 227A.140 shall prohibit a factory-authorized
 11 representative from the installation, maintenance, or service of a medical equipment
 12 device. This exemption does not include work providing electrical feeds into the
 13 power distribution unit or installation of conduits and raceways. This exemption
 14 covers only those factory engineers or third-party service companies with equivalent
 15 training who are qualified to perform such service.

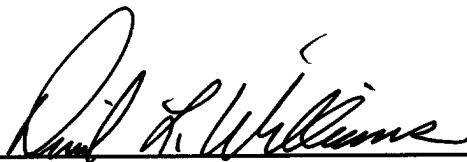
16 (10) Nothing in KRS 227A.010 to 227A.140 shall apply to low-voltage, power-limited
 17 installations for control or coordination of interconnected devices separated from a
 18 power source by a Class 2 or Class 3 transformer installed by a person licensed as:

- 19 (a) A master or journeyman heating, ventilation, and air conditioning technician
 20 employed by a licensed HVAC contractor pursuant to KRS 198B.658;
- 21 (b) A fire protection sprinkler contractor pursuant to KRS 198B.560;
- 22 (c) A manufactured housing dealer or certified installer pursuant to KRS 227.610;
- 23 (d) A boiler mechanic pursuant to KRS 236.210;
- 24 (e) A master or journeyman plumber pursuant to KRS 318.030;
- 25 (f) An onsite sewage disposal system installer pursuant to KRS 211.357; or
- 26 (g) An electrician or master electrician employed by an electrical contractor
 27 pursuant to KRS 227A.010 to 227A.140.


- 1 (11) The provisions of KRS 227A.010 to 227A.140 shall not apply to work performed at
- 2 industrial manufacturing facilities by employees of those facilities.
- 3 Section 6. This Act shall be known and may be cited as "Isaac's Act."



Speaker-House of Representatives



President of the Senate

Attest: 

Asst. Chief Clerk of House of Representatives

Approved 

Governor

Date 